

DECISION

25067
**THE COMPTROLLER GENERAL
OF THE UNITED STATES**
WASHINGTON, D.C. 20548

FILE: B-211552**DATE:** May 9, 1983**MATTER OF:** Pall Land and Marine Corporation**DIGEST:**

Postaward protest based on inadequate specifications which were apparent prior to bid opening is dismissed as untimely.

Pall Land and Marine Corporation (Pall) protests the award of a contract by the Navy Ships Parts Control Center (Navy) pursuant to invitations for bids (IFB) Nos. N00104-82-B-0036 (VDP) and N00104-82-B-0537 (VDP).

Pall protests that the IFB specifications were not adequate to describe the equipment which the Navy required. This allegation concerns an impropriety in the solicitation which was apparent prior to bid opening, Action Manufacturing Company, B-208205.2, December 13, 1982, 82-2 CPD 526, and should have been submitted to the contracting agency or this Office prior to May 20, 1982, the date set for bid opening. See 4 C.F.R. § 21.2(b)(1) (1983).

While Pall admits that it knew of the alleged specification defects when it received the solicitation, it did not submit a protest to the Navy until May 21, 1982, when it learned that a contract had been awarded to another firm. We received the present protest in our Office on April 21, 1983. Consequently, Pall's protest is untimely and we will not consider it on the merits. See Gem Resources, Inc., B-207807, July 6, 1982, 82-2 CPD 23.

Protest dismissed.

Harry R. Van Cleve
Harry R. Van Cleve
Acting General Counsel

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